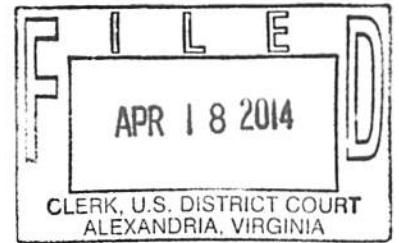


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



JOHN MUTTER,

Plaintiff,

v.

Civil Action No. 1:14CV427 AJT/JFA
Prince William Circuit Court Case No. CL14-1986

LOWE'S HOME CENTERS, LLC,
LOWE'S COMPANIES, INC.,
LOWE'S HOME CENTERS, INC.,
LF, LLC,
LOWE'S HOME CENTERS, INC., #1870
T/A LOWE'S OF GAINESVILLE,
LOWE'S OF GAINESVILLE, No. 1870,

Defendants.

NOTICE OF REMOVAL

The Defendants (collectively referred to as "Lowe's"), by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby file this Notice of Removal on the following grounds:

1. The plaintiff commenced this civil action by filing a Complaint in the Circuit Court for the County of Prince William, Virginia, on or about March 14, 2014 (Ex. A). This is a personal injury action in which the plaintiff claims to have been injured as a result of Lowe's negligence at the Lowe's Home Improvement store located in Gainesville, Virginia on March 28, 2012.
2. The defendants were served at the earliest on March 24, 2014. Lowe's filed a Demurrer to Counts II, III, and IV of the Complaint (Ex. B) and Answer (Ex. C) on or about April 10, 2014. The Complaint, Demurrer, and Answer are the only pleadings that have been filed to date by the parties.
3. There have been no further proceedings in this action.

4. The amount in controversy in this action, exclusive of interest and costs, exceeds \$75,000.00.

5. Upon information and belief, the plaintiff is a citizen of Virginia.

6. Lowe's Home Centers, LLC is a North Carolina Limited Liability Company with its principal place of business in North Carolina. The sole member of Lowe's Home Centers, LLC is Lowe's Companies, Inc., which is a North Carolina corporation with its principal place of business in North Carolina. Lowe's Home Centers, LLC is the owner and operator of the subject store and the only proper Lowe's defendant.

7. Lowe's Home Centers, Inc. is a defunct corporation that was incorporated in North Carolina with its principal place of business in North Carolina.

8. LF, LLC is a Delaware Limited Liability Company with a principal place of business in North Carolina. All of the members of LF, LLC are either citizens of Delaware or North Carolina. None of the members are citizens of Virginia.

9. Lowe's Home Centers, Inc., #1870 t/a Lowe's of Gainesville and Lowe's of Gainesville, No. 1870 are not business entities or individuals and should not be considered for purposes of removal based on diversity jurisdiction.

10. This action involves a controversy wholly between citizens of different states. There is complete diversity of citizenship.

11. This Court has original jurisdiction in this matter pursuant to 28 U.S.C. § 1332(a), and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(a). Lowe's desires to remove this action to this Court.

12. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after Lowe's answered the Complaint.

WHEREFORE, the defendants, by counsel, respectfully request that this action be removed from the Circuit Court for the County of Prince William, Virginia, to this Court.

LOWE'S HOME CENTERS, LLC
LOWE'S COMPANIES, INC.
LOWE'S HOME CENTERS, INC.
LF, LLC
LOWE'S HOME CENTERS, INC., #1870
T/A LOWE'S OF GAINESVILLE.
LOWE'S OF GAINESVILLE, No. 1870

By:  _____
Counsel

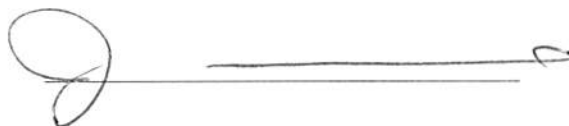
Joseph M. Moore (VSB #48591)
Morris and Morris, P.C.
P.O. Box 30
Richmond, VA 23218
(804) 344-8300 Telephone
(804) 344-8359 Facsimile
jmoore@morrisandmorris.com

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Notice of Removal was mailed on this 17 day of April, 2014, to

Demetrios C. Pikrallidas
Pikrallidas & Associates
10605 Judicial Drive
Building A-4
Fairfax, VA 22030
(703) 267-2600
(703) 273-8046

Michele B. McQuigg, Clerk
Prince William County Circuit Court
9311 Lee Avenue
Manassas, VA 20110
(703) 792-6029

A handwritten signature in dark ink, consisting of a large, stylized 'M' followed by a horizontal line extending to the right.